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December 27, 2007

**VIA ECF & FEDERAL EXPRESS**

Hon. Sidney H. Stein, U.S.D.J.  
United States District Court,  
Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl St., Room 1010  
New York, New York 10007

Re: Holinka v. Baxter Healthcare Corporation, et al.  
Civil Action No. 07-8019

Dear Judge Stein:

Our firm represents defendant Baxter Healthcare Corporation ("Baxter"). Pursuant to Your Honor's October 24, 2007 Order staying this matter, we provide this report on the status of Baxter's application to transfer this case to the Asbestos MDL.

Plaintiff filed a motion to vacate the Condition Transfer Order on October 30, 2007. Defendants timely opposed that motion, on November 19, 2007. The MDL Panel is scheduled to consider the matter at its January 30, 2008 hearing.

Respectfully submitted,

Timothy J. Fraser

cc: Stephen J. Riegel, Esq. (via ECF & first class mail)  
James S. Nowak, Esq. (via ECF & first class mail)  
Carol M. Tempesta, Esq. (via ECF & first class mail)

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